Pacific Legacy Incorporated

Bay Area Division
900 Modoc St
Berkeley, California 94707

Phone: 510.524.3991
Fax: 510.524.4419
www.pacificlegacy.com

March 24, 2005

Elizabeth Pearl
Impact Sciences, Inc.
2101 Webster Street
Oakland, California 94612

Re: Archaeological Survey for Lathrop Well and Pipeline

Elizabeth:

This letter report presents the results of a literature search, Native American consultation and archaeological survey for a proposed well and pipeline in the City of Lathrop, San Joaquin County, California. The investigations were completed under a contract between Impact Sciences, Inc. and Pacific Legacy, Inc. The purpose was to identify cultural resources within the study area which may be adversely impacted by the project, as stipulated under the California Environmental Quality Act (CEQA).

Project Location and Description
The site of the proposed installation of a new well and associated pipeline is located adjacent to the west of the Union Pacific Railroad Line to the north of Yosemite Avenue and to the south of Louise Avenue in the City of Lathrop, San Joaquin County, California. The project area is located in the center of Section 36 of Township 1S, Range 6E, Mount Diablo Base and Meridian. Figure 1 depicts the project location on the Lathrop 7.5' U.S.G.S topographic map.

The City of Lathrop proposes to drill an additional well for water just to the north of the existing City Well Number 9. The project would involve the preparation of an area approximately 300 feet by 130 feet for the drilling of the well and the construction of the associated facilities. The project would also involve the placement of approximately 1000 feet of pipeline to connect the well to the existing distribution facilities. Figure 2 depicts the area of potential effect (APE) for the project.

Archival Research
A records search of the project area and the surrounding ½ mile radius was conducted by the Central California Information Center (CCIC), California Historical Resources Information System (CHRIS), California State University, Stanislaus. In addition to a review of the CCIC maps for the location, this search included an examination of:

- National Register of Historic Places;
- California Register of Historical Resources;
- *California Inventory of Historic Resources* (1976);
- *California Historical Landmarks* (1996);
- *California Points of Historical Interest* listing (May 1992 and updates);

- Historic Property Data File (3/7/05);
- CALTRANS State and Local Bridge Survey (1989 and updates);
- *Survey of Surveys* (1989);
- General Land Office (GLO) Plats; and,
- Other pertinent data on file with Pacific Legacy.

The records search revealed that five previous cultural resources studies have occurred within ½ mile of the current project area. These studies are summarized in Table 1. One of these studies (Baloian et al. 2004) included portions of the current project area. During their survey of proposed distribution power lines, Baloian et al. (2004) noted two cultural resources within the current project area. The two resources, the Western Pacific Railroad Line (P-39-000098 / CA-SJO-292H) and the South San Joaquin Irrigation District Drainage Channel (P-39-000103), were the only previously identified cultural resources identified by the CCIC in their records search of the project area and the surrounding ½ mile radius. These resources are summarized in Table 2. Figure 3 depicts these resources in relation to the APE of the current project.

Table 1. Previous cultural resource studies within a ½ mile radius of the project area.

Study Number	Author	Date	Results	Type	In project area?
SJ-729	Chavez	1981	Negative	Cultural Resource Survey and Evaluation	No
SJ-1900	Napton	1993	Negative	Cultural Resource Survey	No
SJ-4786	Windmiller and Napoli	2002	N/A (Overview)	General Plan Update	No
SJ-5003	Gross	2003	Negative	Cultural Resource Survey	No
SJ-5309	Baloian et al.	2004	Positive	Cultural Resource Survey and Evaluation	Yes

Table 2. Previously identified cultural resources within a ½ mile radius of the project area.

Resource Number	Resource Name	Type	In project area?
P-39-000098 / CA-SJO-292H	Western Pacific Railroad Line	Railroad line completed by the Western Pacific Railroad in 1909 that connected Salt Lake City to Oakland	No
P-39-000103	South San Joaquin Irrigation District Drainage Channel	Drainage canal completed by the South San Joaquin Irrigation District between 1909 and 1925	No

Native American Consultation

In a letter dated March 7, 2005, Pacific Legacy requested a records search of the "Sacred Lands Inventory" maintained by the Native American Heritage Commission (NAHC). On March 8, 2005, Debbie Pilas-Treadway of the NAHC transmitted a facsimile copy of a letter to Pacific Legacy. This letter indicated that the records search of the Sacred Lands Inventory failed to indicate the presence of Native American cultural resources in the immediate project area. Pilas-Treadway also provided a list of individuals and organizations that may have additional information or concerns about the project area. The list consisted of Katherine Erolinda Perez, who was identified as Ohlone/Costanoan, Northern Valley Yokuts, and Bay Miwok. On March 9, 2005, Pacific Legacy sent a letter to Katherine Erolinda Perez in order to inform her of the project and allow her to provide comments. As of March 24, 2005, no reply had been received. Any forthcoming correspondence will be forwarded to Impact Sciences. Attachment A includes documentation of all correspondence related to Native American consultation for this project.

Archaeological Survey

A pedestrian survey of the project area was conducted by Kevin M. Bartoy, M.A., and Lauren Rosenthal, B.A., of Pacific Legacy on March 23, 2004. The project area is located adjacent to the west of the Union Pacific Railroad Line in an open field that has been cleared and graded as part of an industrial park. The northern and southern boundaries of the project area are defined by industrial developments. As noted by several piles of dirt within the project area, the location has been subject to ground disturbance related to the industrial park.

The survey area included the area of proposed well development as well as the location of the proposed connecting pipeline. The survey area for the proposed well development was approximately 300 feet by 130 feet. The survey area for the proposed pipeline was approximately 1000 feet by 100 feet. Figure 4 depicts the area surveyed. Attachment B includes photographic documentation of the survey area.

Surface inspection of the survey area was conducted in transects that were spaced no more than five meters apart. All visible soil was inspected for evidence of cultural materials, including both prehistoric and historic artifacts. Surface visibility was limited by dense grasses that covered approximately 60% of the survey area. These grasses reduced overall visibility of the survey area to approximately 40%. Special attention was given to soil exposed by burrowing animals and construction activities regardless if these areas were directly within a transect.

Soil in the project area was well-developed clay loam that allowed for relatively poor drainage. The soil matrix consisted of less than 5% angular and subangular gravels of two to five centimeters in size. The gravels were predominately granite and quartzite. The gravels appeared to be intrusive to the native soils and were most likely associated with the construction of the industrial park as well as the maintenance of the adjacent railroad line.

No cultural materials were noted during the course of the survey.

Results and Recommendations

The records search of the project area revealed that two previously identified historic resources were located adjacent to the east of the project area. These resources, the Western Pacific Railroad Line (P-39-000098 / CA-SJO-292H) and the South San Joaquin Irrigation District Drainage Channel (P-39-000103), are located outside of the APE for the current project (Figure 3). A review of the Sacred Land Inventory did not indicate the presence of Native American cultural resources within the project area. The pedestrian survey of the project area did not result in the discovery of any additional cultural resources.

This study attempted to identify cultural resources within and adjacent to the APE for the current project. While this study did not identify any resources within the APE, two historic resources were previously identified adjacent to the APE. As currently proposed, the project will have no effect on these cultural resources. Any changes to current project plans should be evaluated for their potential impacts to the adjacent resources.

While this study failed to identify archaeological deposits within or adjacent to the APE, it should be noted that buried cultural deposits are common in the San Joaquin Valley. Ground disturbing activities may reveal previously unidentified buried or otherwise obscured archaeological deposits. Such disturbance may result in the loss of integrity of cultural deposits

and the loss of information. Buried cultural remains may include prehistoric and/or historic resources. We recommend that construction personnel be instructed that upon discovery of buried cultural materials, work in the immediate area of the find should be halted and a qualified archaeologist consulted. Once the find has been identified, plans for treatment of the find(s) and for the evaluation and mitigation of impacts of the finds, if they are determined to be important, will need to be developed.

If human remains are encountered during construction, work in that area must halt and the San Joaquin County Coroner must be immediately notified. If the remains are determined to be Native American, then the Native American Heritage Commission (NAHC) is to be notified within 24 hours as required by Public Resources Code 5097. The NAHC will notify the designated Most Likely Descendant who will provide recommendations for the treatment of the remains within 24 hours. The NAHC will mediate any disputes regarding treatment of remains.

No further cultural resource studies should be necessary unless project plans change. If changes to project plans include the adjacent previously identified resources or previously unsurveyed areas, further cultural resource studies may be necessary.

Should you need further information, I can be reached at 510.524.3991 ext.2.

Sincerely,

Kevin M. Bartoy
Senior Supervisor / Archaeologist
Bay Area Division

Attachments (6):
Figure 1. Project Location
Figure 2. Area of Potential Effect (APE)
Figure 3. Previously Identified Resources
Figure 4. Survey Area
Attachment A. Native American Consultation Documentation
Attachment B. Photographic Documentation

References Cited

Baloin, M.C., R.M. Baloian, and W.M. Nettles
2004 Cultural Resources Investigations for the South San Joaquin Irrigation District in San Joaquin County, California. Report SJ-5309 on file at the Central California Information Center (CCIC), Department of Anthropology, California State University Stanislaus, Turlock, California.

Chavez, D.
1981 Cultural Resources Evaluation for the Manteca Wastewater Project, San Joaquin County, California. Report SJ-729 on file at the Central California Information Center (CCIC), Department of Anthropology, California State University Stanislaus, Turlock, California.

Gross, C.
2003 Cultural Resources Assessment for the Lathrop Water Recycling Plant No. 1, Phase 1 Expansion Project. Report SJ-5003 on file at the Central California Information Center (CCIC), Department of Anthropology, California State University Stanislaus, Turlock, California.

Napton, L.K.
1993 A Preliminary Cultural Resources Investigation of the South Manteca Area Plan, 7,800 Acres in San Joaquin County, California. Report SJ-1900 on file at the Central California Information Center (CCIC), Department of Anthropology, California State University Stanislaus, Turlock, California.

Windmiller, R. and D.S. Napoli
2002 City of Manteca General Plan Update. Report SJ-4786 on file at the Central California Information Center (CCIC), Department of Anthropology, California State University Stanislaus, Turlock, California.

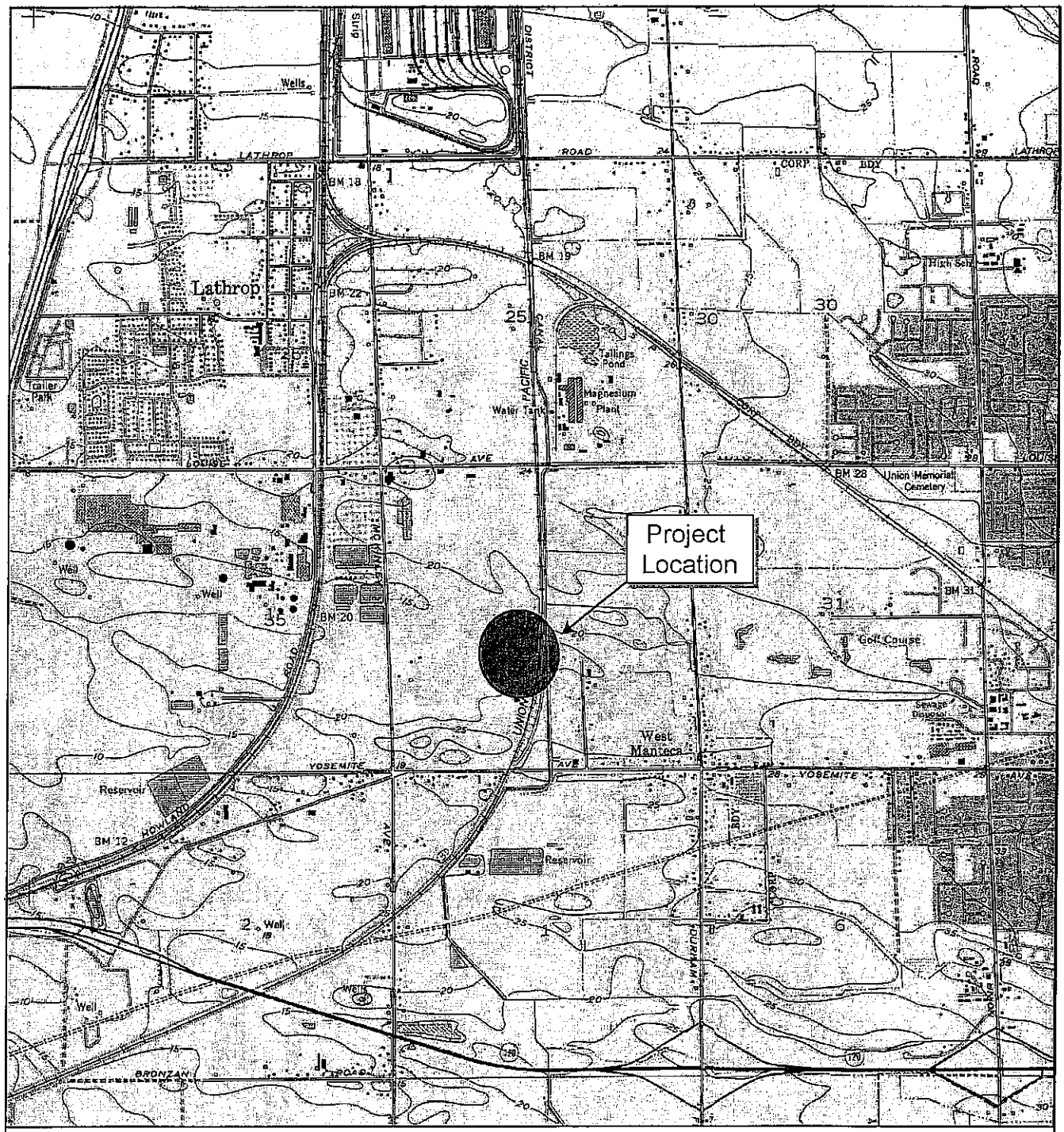

Figure 1. Project Location Map.

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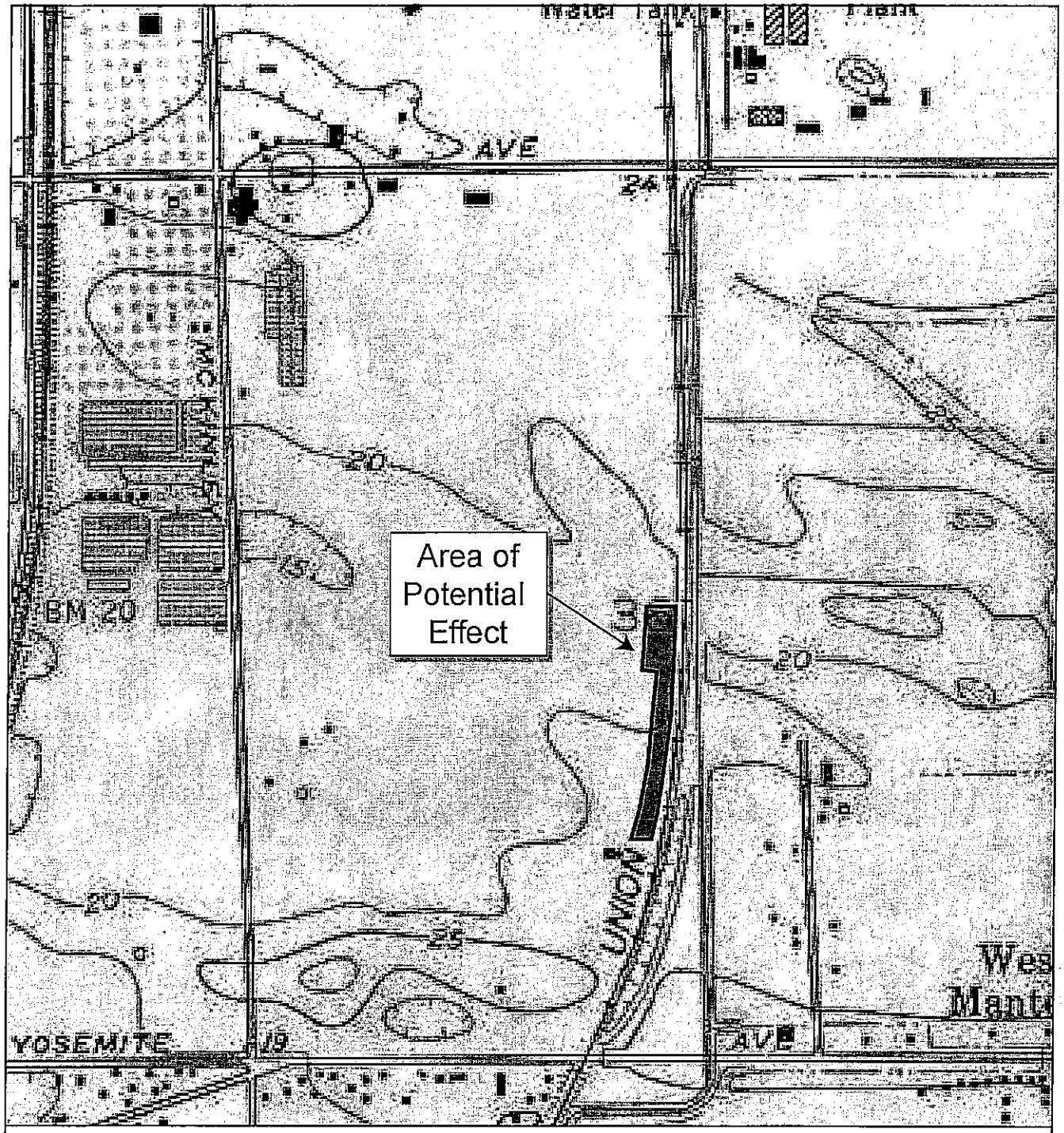

Figure 2. Area of Potential Effect (APE).

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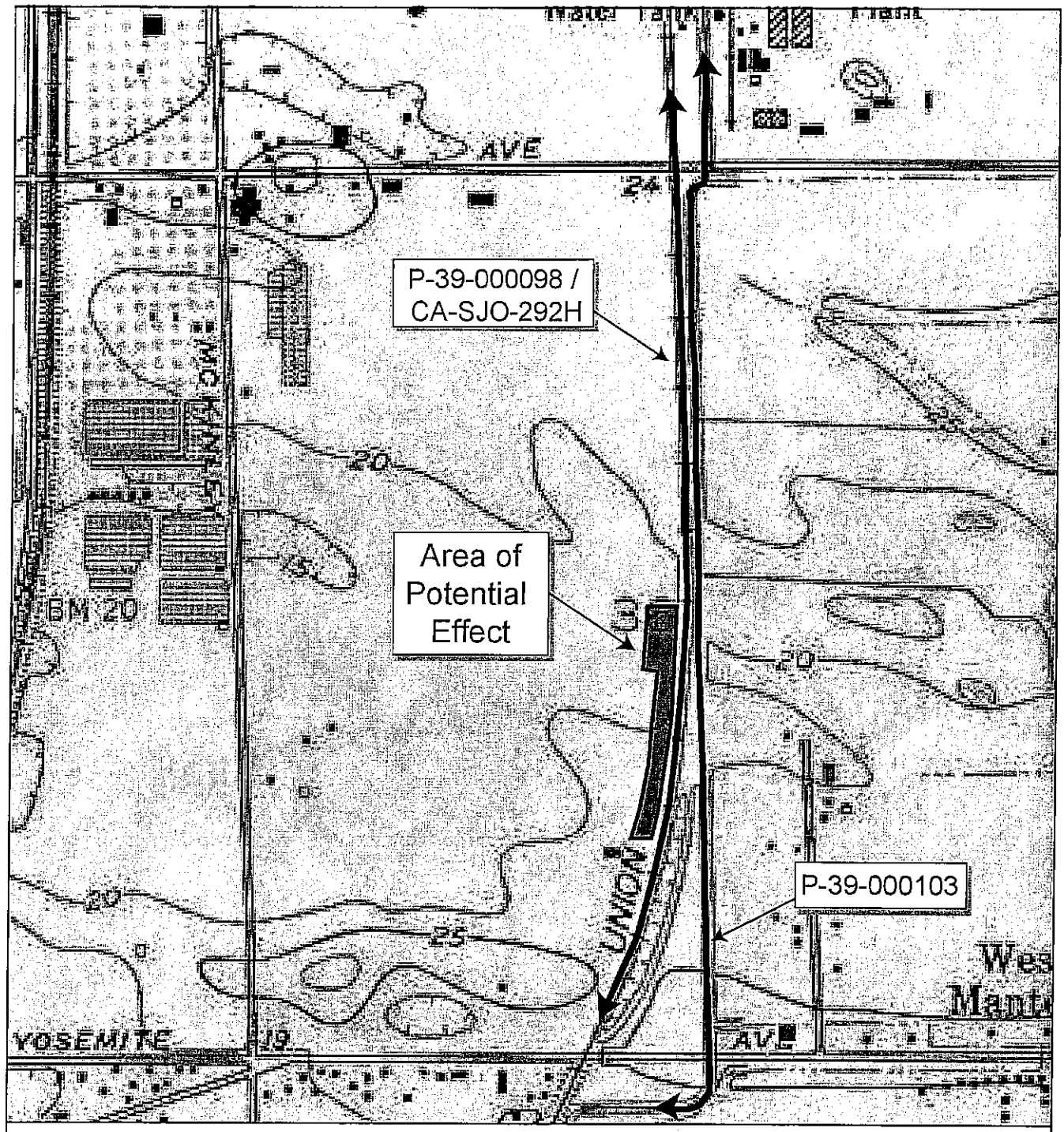

Figure 3. Previously Identified Resources.

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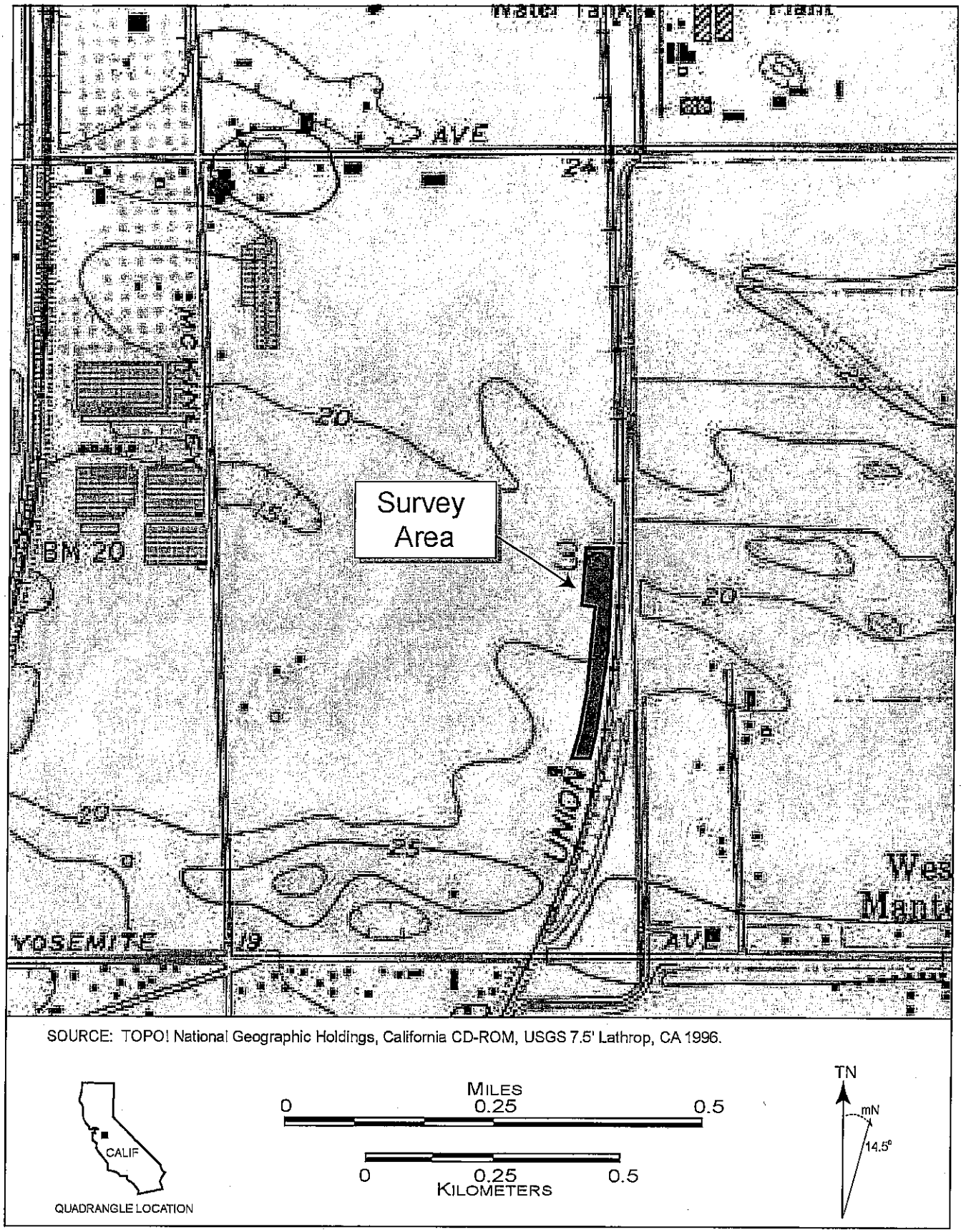

Figure 4. Survey Area.

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Attachment A. Native American Consultation Documentation

Pacific Legacy Incorporated

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March 7, 2005

Larry Myers
Native American Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

Re: Lathrop Well and Pipeline, Lathrop, San Joaquin County, California.

Dear Mr. Myers:

We have been retained by Impact Sciences, Inc. to conduct an archaeological assessment for a project in Lathrop, California. Proposed project activities include the installation of a new well and associated pipeline adjacent to the Union Pacific Railroad tracks, north of Yosemite Avenue in the City of Lathrop, San Joaquin County, California.

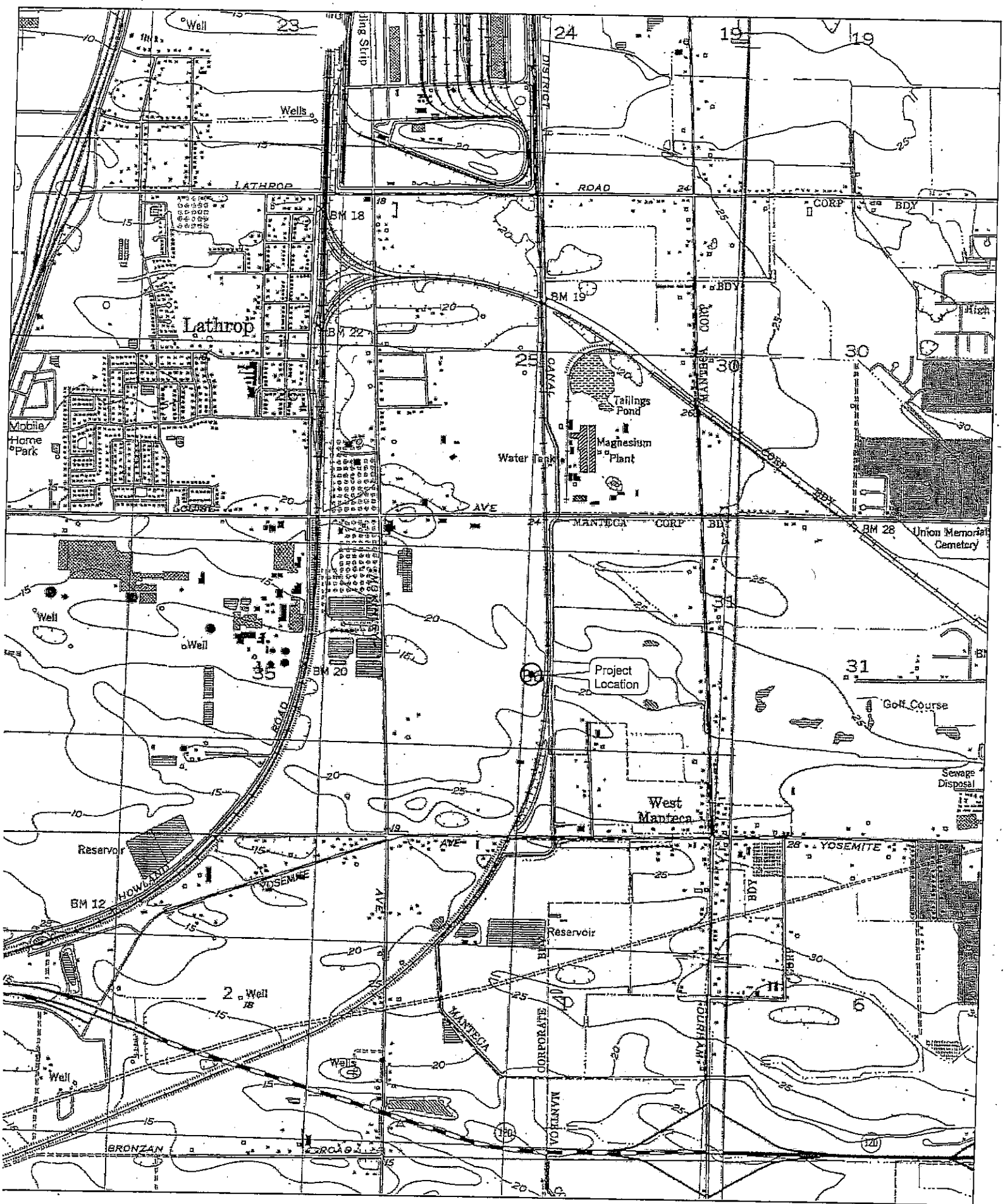
Please review the Sacred Lands Inventory to determine if there are any areas of concern to local Native American Groups within the project area. The attached map indicates the approximate project location with a "bull's eye" on the Lathrop, Calif. 7.5' USGS Quadrangle. The project is located in Township 1S; Range 6E; Section 36.

Please send us a list of interested Native American groups for San Joaquin County. We will be contacting those groups for consultation. Should you need further information, I can be reached at (510) 524-3991. Thank you for your kind attention to this matter.

Sincerely,

Kari Jones
Archaeologist
Bay Area Division

Attachment: Project Area on the Lathrop, Calif. 7.5' USGS Quadrangle



Name: LATHROP
Date: 2/18/2005
Scale: 1 inch equals 2000 feet

Location: 10 0652831 E 4185713 N
Caption: Lathrop Well Project Location

Pacific Legacy Project 1545-01

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STATE OF CALIFORNIA Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
Fax (916) 657-5390
Web Site www.nahc.ca.gov

March 8, 2005

Kari Jones
Pacific Legacy
900 Modoc St.
Berkeley, CA 94707

Sent by Fax: 510-524-4419
Number of Pages: 3

RE: Proposed Venoco Wells project, Solano County; Lathrop Well and Pipeline, San Joaquin County

Dear Ms. Jones:

A record search of the sacred land file has failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the sacred lands file does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Enclosed is a list of Native Americans individuals/organizations who may have knowledge of cultural resources in the project area. The Commission makes no recommendation or preference of a single individual, or group over another. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated, if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe or group. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact me at (916) 653-4038.

Sincerely,

Debbie Pilas-Treadway
Environmental Specialist III

Native American Contacts
San Joaquin County
March 8, 2005

Katherine Erolinda Perez
1234 Luna Lane
Stockton , CA 95206

(209) 462-2680

Ohlone/Costanoan
Northern Valley Yokuts
Bay Miwok

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resource assessment for the proposed Lathrop Well and Pipeline, San Joaquin County.

Pacific Legacy Incorporated

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March 9, 2005

Katherine Erolinda Perez
1234 Luna Lane
Stockton, CA 95206

Re: Lathrop Well and Pipeline, Lathrop, San Joaquin County, California.

Dear Katherine Erolinda Perez,

We have been retained by Impact Sciences, Inc. to conduct an archaeological assessment for a project in Lathrop, California. Proposed project activities include the installation of a new well and associated pipeline adjacent to the Union Pacific Railroad tracks, north of Yosemite Avenue in the City of Lathrop, San Joaquin County, California.

The attached map provides the area of potential impact indicated by a "bull's eye" on the Lathrop 7.5' USGS Quadrangle.

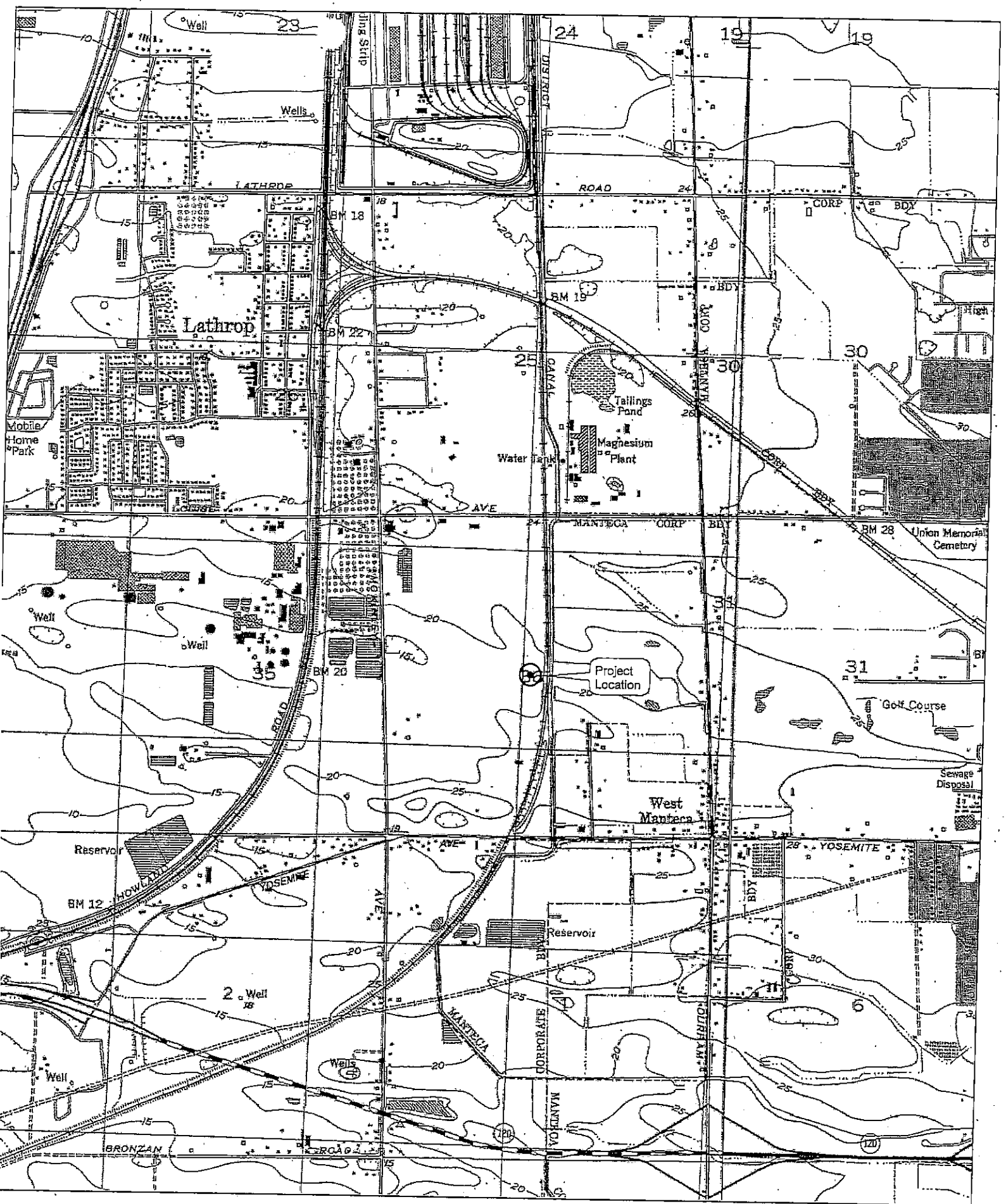
The Sacred Lands Inventory on file with the Native American Heritage Commission (NAHC) has been reviewed. This review failed to indicate the presence of cultural resources in the immediate project area. The NAHC provided us with your name as a contact to identify any locations of concern to local Native American Groups within the project area. If appropriate, please provide us with any information you may have regarding locations of concern in the project area. This information will be used for project planning and will be kept confidential. If you do not feel it is appropriate to divulge the type of resource, it can be noted as "environmentally sensitive area".

You may respond by mail, email, phone, or visit our office in Berkeley to inspect our research files. We anticipate receiving your reply within 14 days. You may respond in the enclosed self-addressed envelope. At present, there is no date for start of construction. If you have any questions, please contact me, at (510) 524-3991. Thank you for your kind attention to this matter.

Sincerely,

Kari Jones, M.A.
Archaeologist
Bay Area Division
jones@pacificlegacy.com

Attachment: Project Area on the Brentwood 7.5' USGS Quadrangle



Name: LATHROP
Date: 2/18/2005
Scale: 1 inch equals 2000 feet

Location: 10 0652831 E 4185713 N
Caption: Lathrop Well Project Location

Pacific Legacy Project 1545-01

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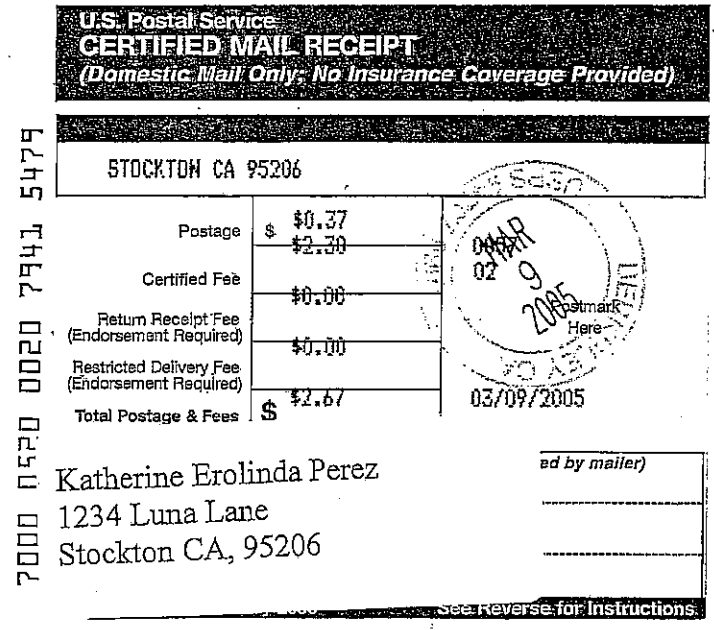

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03/09/2005

Katherine Erolinda Perez
1234 Luna Lane
Stockton CA, 95206

ed by mailer)

See Reverse for Instructions

Attachment B. Photographic Documentation

Pacific Legacy Photographic Documentation

Client: Impact Sciences, Inc.
Location: Lathrop Well and Pipeline
Photograph Date: 03/23/2004

Prepared by: Kevin Bartoy
Photographer: Kevin Bartoy
PL Project Number: 1545-01

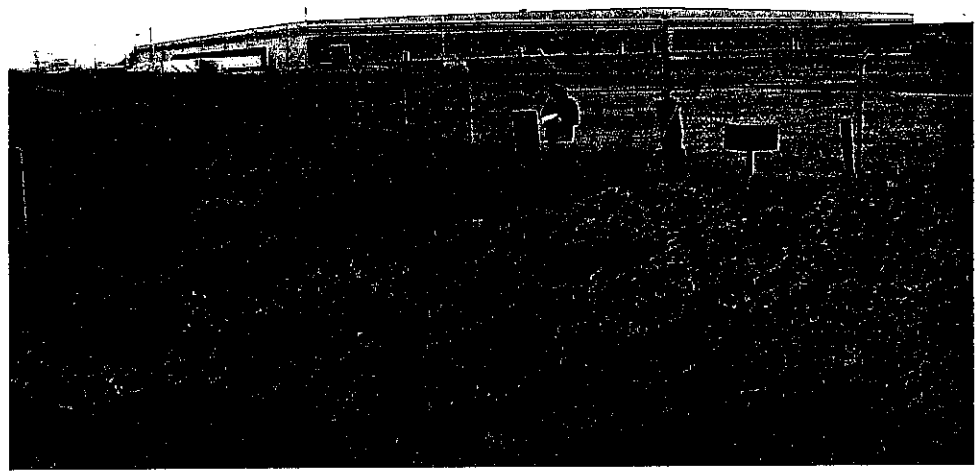
Photograph No. 1

Direction: Southwest

Description: Overview of proposed well location to far side of fence posts. Photograph taken from railroad track.

Photograph No. 2

Direction: Northwest



Description: Overview of area adjacent to the north of proposed well location that has been graded and developed. Photograph taken from railroad track.

Pacific Legacy Photographic Documentation

Client: Impact Sciences, Inc.
Location: Lathrop Well and Pipeline
Photograph Date: 03/23/2004

Prepared by: Kevin Bartoy
Photographer: Kevin Bartoy
PL Project Number: 1545-01

Photograph No. 3

Direction: South

Description: Overview of northern limit of proposed well location with railroad track to left of photograph and City Well No. 9 in far center background.

Photograph No. 4

Direction: Southwest

Description: Overview of northern limit of proposed well location with industrial development in background. Photograph taken in same location as Photograph 3.

Pacific Legacy Photographic Documentation

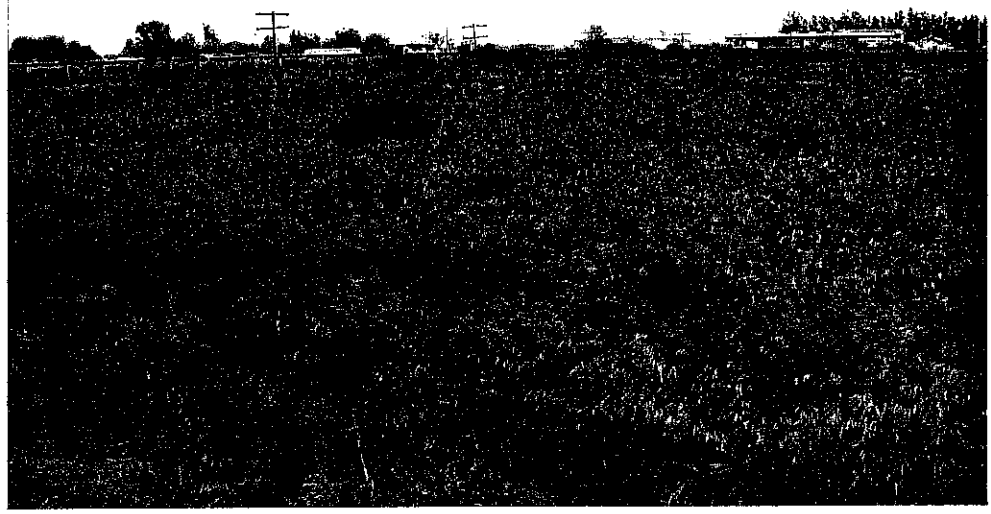
Client: Impact Sciences, Inc.
Location: Lathrop Well and Pipeline
Photograph Date: 03/23/2004

Prepared by: Kevin Bartoy
Photographer: Kevin Bartoy
PL Project Number: 1545-01

Photograph No. 5

Direction: Southeast

Description: Overview of proposed well location with railroad track to left and proposed pipeline location in center with City Well No. 9 in far right background.



Photograph No. 6

Direction: Southeast

Description: Overview of area graded approximately 75 cm below surface in location of proposed well and pipeline with railroad in backsground.

Pacific Legacy Photographic Documentation

Client: Impact Sciences, Inc.
Location: Lathrop Well and Pipeline
Photograph Date: 03/23/2004

Prepared by: Kevin Bartoy
Photographer: Kevin Bartoy
PL Project Number: 1545-01

Photograph No. 7

Direction: Southwest

Description: Overview of area graded approximately 75 cm below surface in location of proposed well and pipeline with industrial park and Shideler Parkway in background

Photograph No. 8

Direction: Southwest

Description: Overview of southern limit of proposed well location with industrial park and Shideler Parkway in background.

Pacific Legacy Photographic Documentation

Client: Impact Sciences, Inc.
Location: Lathrop Well and Pipeline
Photograph Date: 03/23/2004

Prepared by: Kevin Bartoy
Photographer: Kevin Bartoy
PL Project Number: 1545-01

Photograph No. 9

Direction: South

Description: Overview of southern limit of proposed well location with City Well No. 9 in background. Photograph in same location as Photograph 8.